



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File: A-54-17

Property Address: 5000 Spring Forest Road

Property Owner: Evergreen Construction Company

Project Contact: Andrew Petesch

Nature of Case: A request for a 10' variance to the finished floor elevation required by Section 3.2.4.F.1. of the Unified Development Ordinance that results in an apartment building that is 8' lower than the average road curb elevation on a 2.29 acre parcel zoned Community Mixed-Use-3 Parkway frontage and located at 5000 Spring Forest Road.

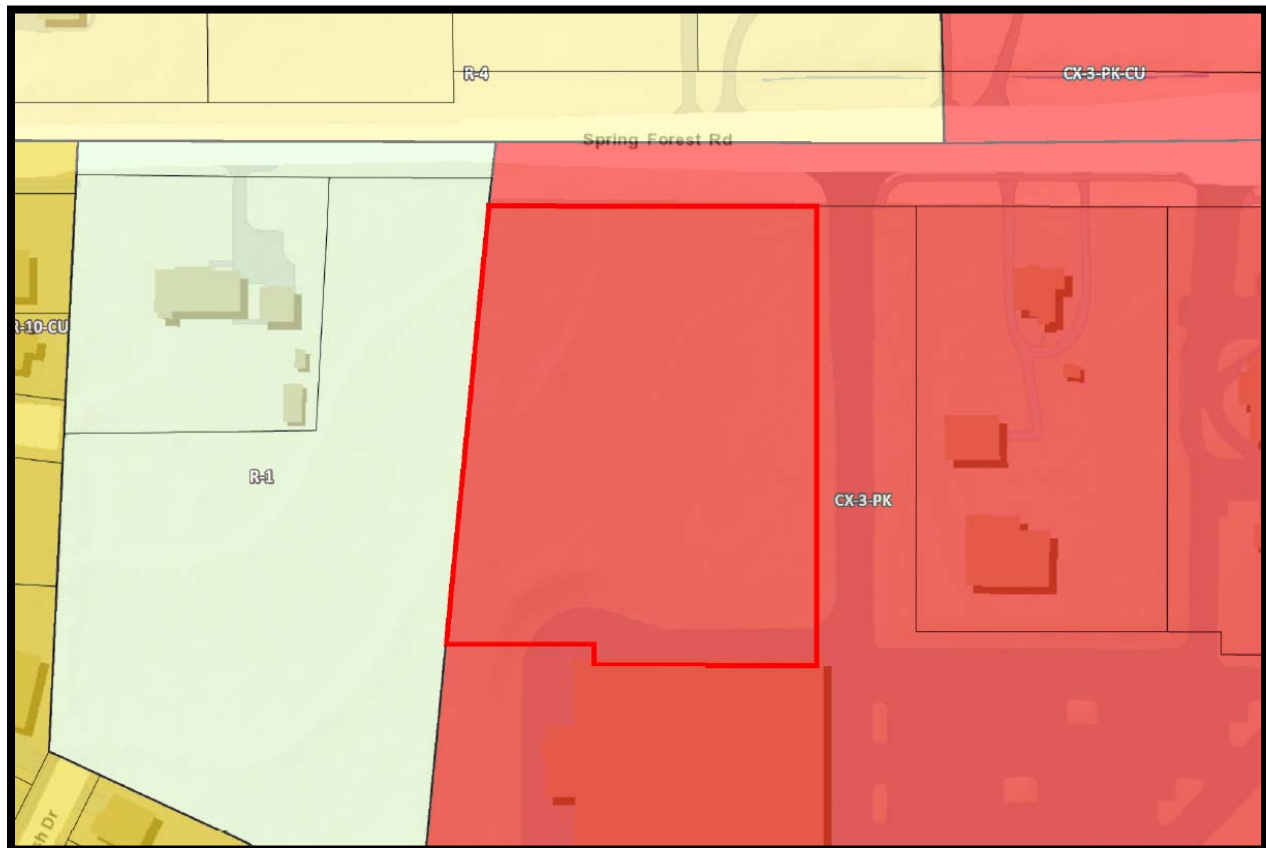


5000 Spring Forest Road – Location Map

To BOA: 4-10-17

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Community Mixed-Use-3 Parkway



5000 Spring Forest Road – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

To Legalize the Existing Structure:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions

that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Sec. 3.2.4.F.1. Floor Heights

Ground Floor elevation (min) Residential: 2'

Application for Variance



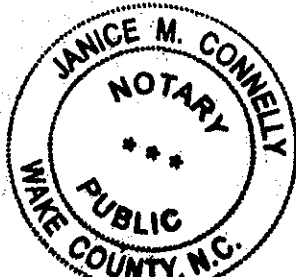
RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
<p>Nature of variance request (if more space is needed, submit addendum on separate sheet):</p> <p>The subject property is zoned CX-3-PK. Per UDO Section 3.2.4.F1 (Apartment) the finished floor elevation (FFE) is required to be 2.0 feet above the average curb level of the adjoining street. The building is 101' from the back of curb due to required road improvements, a 15' utility easement, 50' TCA yard and having to grade around the building. Since the lot slopes away from the adjacent road, the building finished floor elevation (FFE=320.0) will be approximately 8.0 feet lower than the average road curb elevation (UDO Section 1.5.7.B) and we are requesting a hardship variance.</p>	<p>Transaction Number</p> <p>A-54-17</p>
<p>Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.</p> <p>Transaction Number (488675)</p>	

GENERAL INFORMATION		
Property Address 5000 Spring Forest Road		Date 03/09/2017
Property PIN 1736-06-8507	Current Zoning CX-3-PK	
Nearest Intersection Spring Forest Rd & Louisburg Rd		Property size (in acres) 2.29
Property Owner Evergreen Construction Company	Phone (919) 848-2041	Fax N/A
Owner's Mailing Address 7706 Six Forks Road, Suite 202 Raleigh, NC 27615	Email Tim@spectrum-evergreen.com	
Project Contact Person Andy Petesch	Phone (919) 747-8611	Fax N/A
Contact Person's Mailing Address 127 W Hargett Street, Suite 500; Raleigh, North Carolina 27601	Email andy@peteschlaw.com	
Property Owner Signature Timothy D. May	Email Tim@spectrum-evergreen.com	
Notary	Notary Signature and Seal	
Sworn and subscribed before me this 10 day of March, 2017	Janice M. Connelly 	

FOR REVIEW ONLY

5110 Tenth, East 101 | 845-5, 1C 22602
TEL 919.866.4351 FAX 919.833.5124 www.5110.com

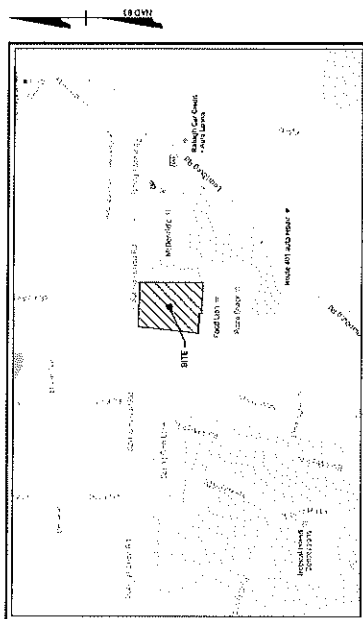
CIVIL ENGINEER

TIMMONS GROUP
RICK BAKER, P.E.
5410 TRINITY ROAD; SUITE 102
RALEIGH, NC 27607
PH: (919) 866-4939
RICK.BAKER@TIMMONS.COM

176X (913) 640-0433
TIM@SPECTRUM-EVERGREEN.COM

SITE DATA

PROJECT:	AMBER SPRING
OWNER:	PRINCIPAL ASSOCIATES, LIMITED PART
PROJECT ADDRESS:	5000 SPRING FOREST RD, RALEIGH, NC 27616
PLN #:	1736 06 8807
DEED:	DB 43263 PG 3
ZONING:	CX 3-PK
EXISTING USE:	MAP
FLOOD ZONE:	WAP #372073900J DATED 05-02-2006 NO FEMM FLOOD HAZARDS AREAS PER FIRM
TOTAL EXISTING TRACT AREA:	2.28 ACRES
TRANSACTION NUMBER:	468875
SR - 80 - 16	
UNITS:	21 ONE BEDROOM APARTMENTS 21 TWO BEDROOM APARTMENTS
PARKING:	1 SPACE /UNIT + 1 SPACE/10 UNITS 42 SPACES + 4 SPACES = 46 SPACES 43 SPACES ON SITE + 13 OFF SITE BY AGREEMENT
AMENITY AREA:	9,975 SF SFY AND 10,130 SF PROVD



STN

Sheet List Table	
Sheet Number	Sheet Title
CVR	COVER SHEET
C10	EXISTING CONDITIONS
C20	SITE LAYOUT PLAN
G40	UTILITY PLAN
G40	GRADING AND DRAINAGE PLAN
C51	ENVIRONMENTAL AND DRAINAGE PLAN
L10	LANDSCAPE PLAN
P100	POOL PLAN
	TECH PLAN
8-9	NOTES AND DETAILS
01	MATERIALS
A1-1	ARCHITECTURAL FLOOR PLAN
A2-1	ARCHITECTURAL ELEVATIONS

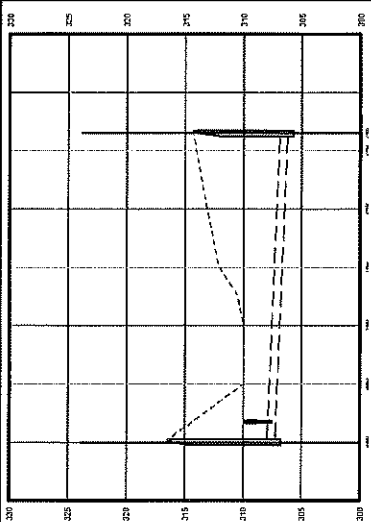
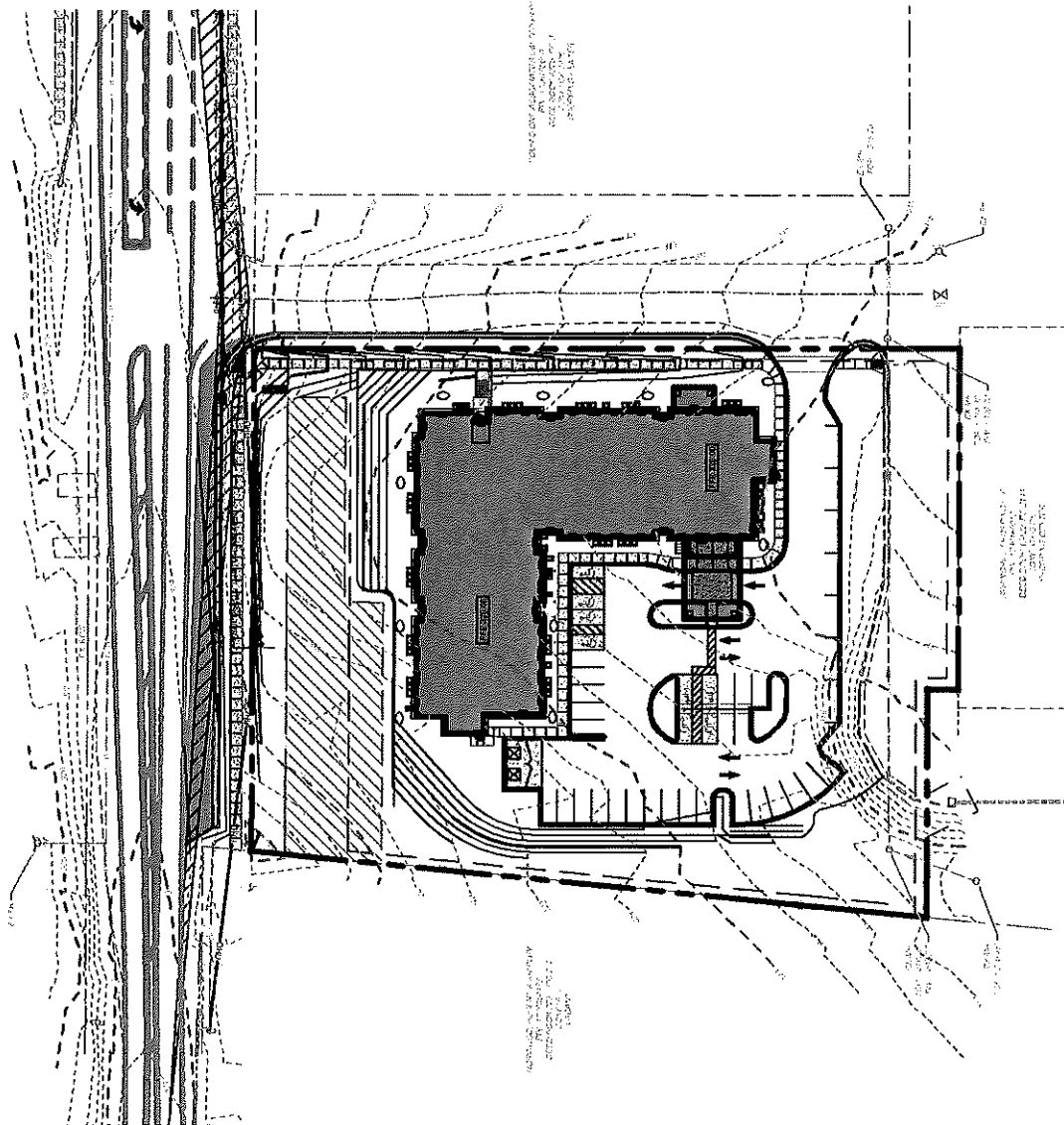
PRELIMINARY - NOT RELEASE FOR CONSTRUCTION

ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL CITY OF RALEIGH, NC DENR AND NCDOT STANDARDS, SPECIFICATIONS, AND DETAILS

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800-235-0017
CONTACT OUR CALL CENTER
FOR FOL STUDIES



1" x 50' H
1" x 5' V

GRADING NOTES

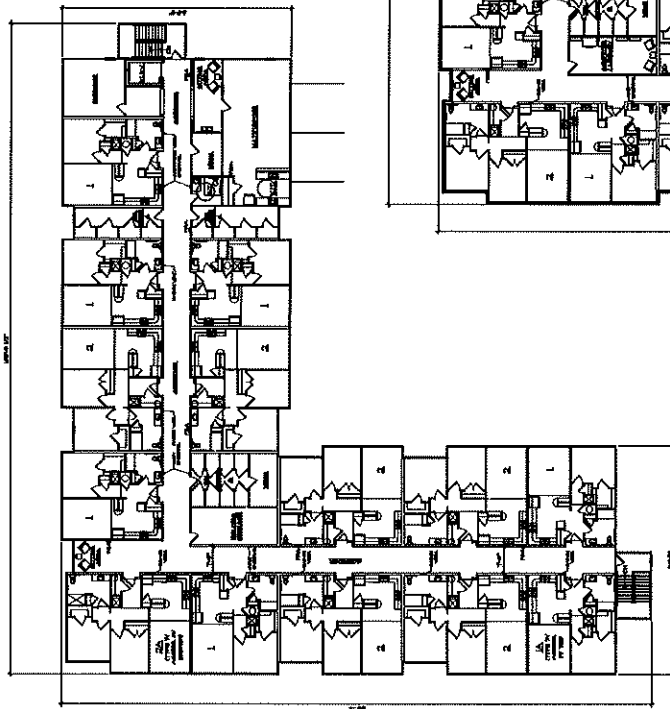
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SCALE 1"=30'

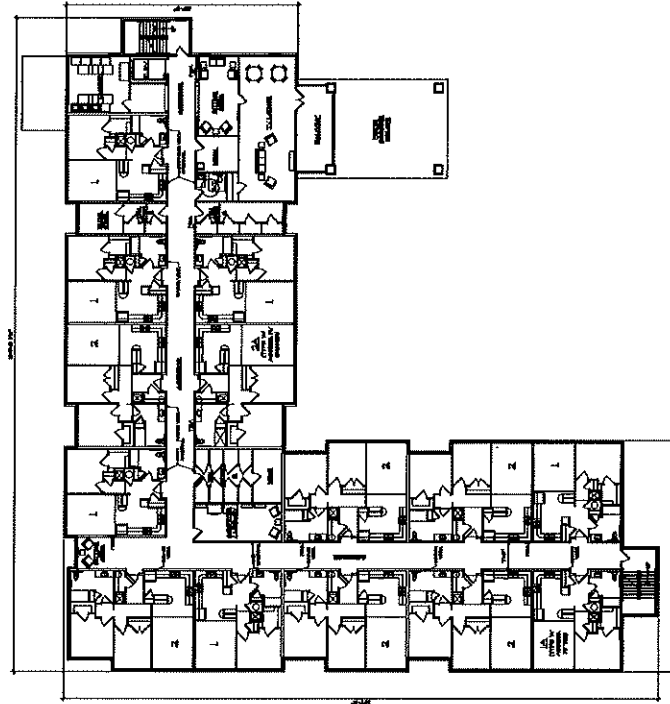
PRELIMINARY - NOT RELEASED FOR CONSTRUCTION

ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL CITY OF
RALEIGH, NCDENR AND NCDOT STANDARDS, SPECIFICATIONS, AND
DETAILS

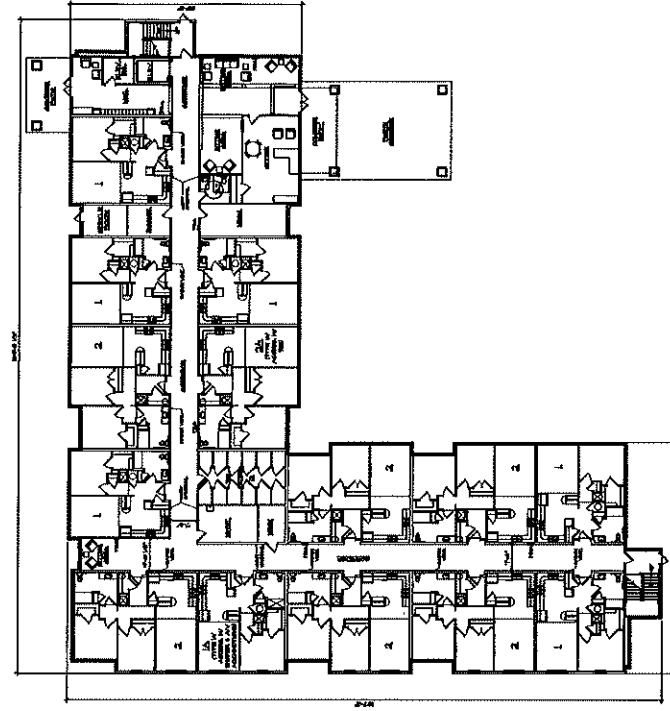
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THIRD FLOOR PLAN
1/8" = 1'-0"



SECOND FLOOR PLAN
1/8" = 1'-0"

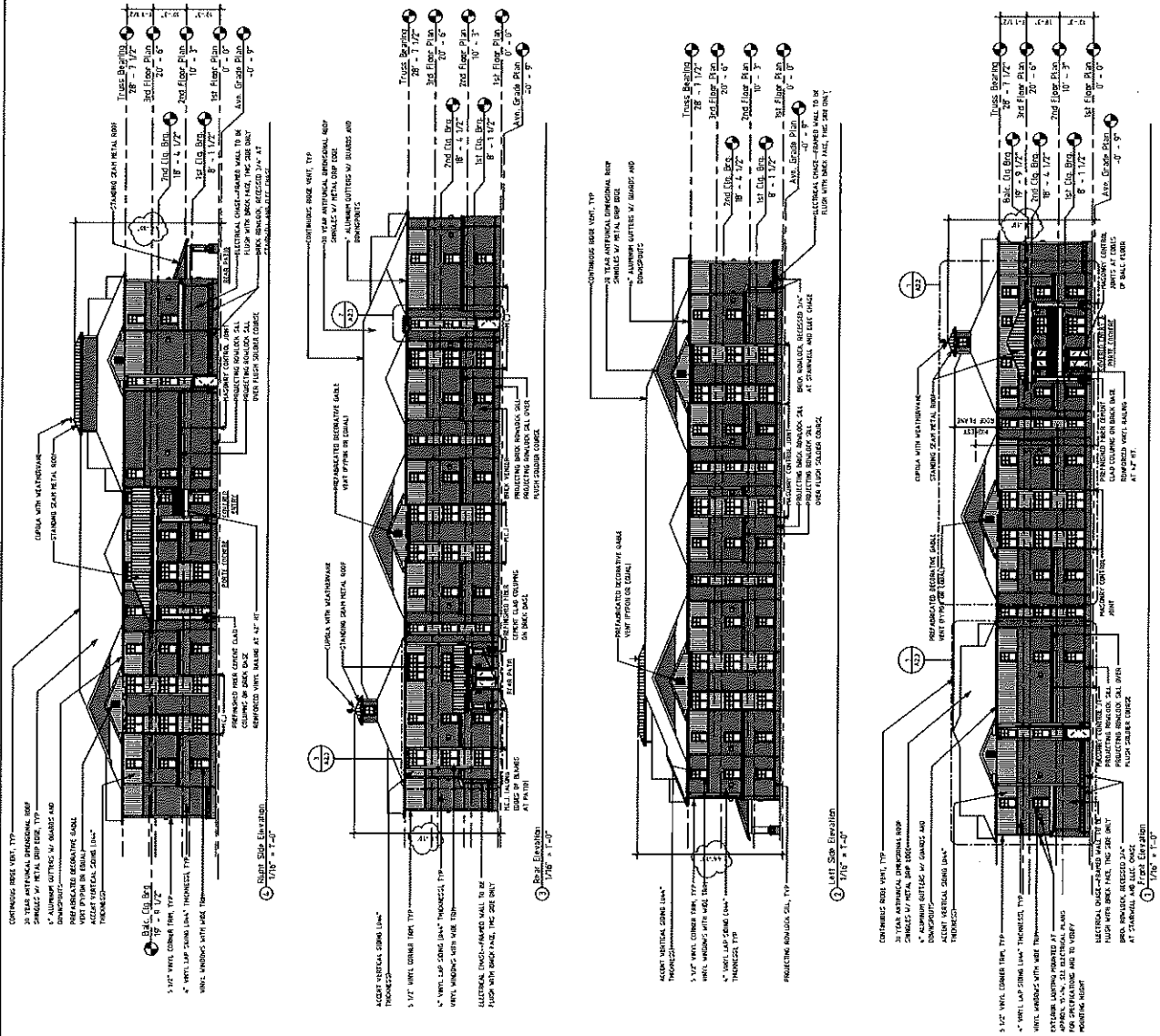


FIRST FLOOR PLAN
1/8" = 1'-0"



AMBER SPRING SENIOR LIVING COMMUNITY
Raleigh, North Carolina
FLOOR PLANS A.I.I.

A floor plan of a building, likely a school, showing the layout of the building. The plan is oriented with 'Left' on the left side, 'Right' on the right side, and 'Front' at the bottom. The building has a central entrance area with a set of stairs leading up to it. There are several rooms and corridors, with some rooms labeled with numbers like 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 89



HUBERT & SHIRLEY NORWOOD
4808 SPRING FOREST RD # R
RALEIGH NC 27616-5336
1736064465

HUBERT & SHIRLEY NORWOOD
4804 SPRING FOREST RD
RALEIGH NC 27616-5336
1736064615

WANDA L. BROWN
4909 SPRING FOREST RD
RALEIGH NC 27616-5337
1736065911

WANDA L. BROWN
4909 SPRING FOREST RD
RALEIGH NC 27616-5337
1736067922

FOUR O ONE ASSOCIATES LIMITED PART -C/O HUNTER & ASSOC
127 W HARGETT ST STE 100
RALEIGH NC 27601-1378
1736068507

DOK RMAH & PING H SIU
4913 SPRING FOREST RD
RALEIGH NC 27616-5337
1736069921

SPRINGHILL SHOPPING LLC
350 MOUNTAIN LAUREL
CHAPEL HILL NC 27517-7634
1736160212

FOUR O ONE ASSOCIATES LIMITED PART -C/O HUNTER & ASSOC
174 MONTROSE DR
DURHAM NC 27707-3929
1736160690

RALEIGH NORTHEAST COMMERCIAL ASSOCIATES LIMITED PARTERSHIP
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RALEIGH NC 27619-9808
1736173184